



UNITED STATES MARINE CORPS

MARINE CORPS BASE
PSC BOX 20004
CAMP LEJEUNE, NORTH CAROLINA 28542-0004

BO 1700.1N
CINSP
26 SEP 1997

BASE ORDER 1700.1N

From: Commanding General
To: Distribution List

Subj: REQUEST MAST

Ref: (a) MCO 1700.23E
(b) U.S. Navy Regulations
(c) Marine Corps Manual
(d) MCO P5354.1C
(e) MCO P1900.1E
(f) JAG Manual
(g) MCO 5040.6E

Encl: (1) Procedures for Request Mast with the Commanding
General, Marine Corps Base
(2) Request Mast Application

1. Purpose. To issue Marine Corps Base Request Mast policy and procedures as required by reference (a).

2. Cancellation. BO 1700.1M.

3. Background

a. Request Mast is the officially recognized means for Marines to communicate grievances to, or seek assistance from, their commander. It includes both the right of the Marine to communicate with the commander and the requirement that the commander consider the matter and personally respond to the Marine requesting mast. Normally, the Marine requesting mast will be afforded the opportunity to report in person to the commander to present the matter.

b. Request Mast provides the individual Marine with a formal method to air grievances to, or seek assistance from, those above the Marine's immediate superiors. Request Mast also provides commanders with firsthand knowledge of the morale, and general welfare of the command.

c. To be effective, Request Mast must have the wholehearted support of those to whom the leadership of Marines is entrusted. The importance of maintaining the credibility and viability of the procedures set forth in this Order cannot be overemphasized.

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4. Information

a. Reference (b), Article 0820c, provides that the commander shall:

"Afford an opportunity, with reasonable restrictions as to time and place, for the personnel under his or her command to make requests, reports, or statements to the commanding officer, and shall ensure that they understand the procedures for making such requests, reports, or statements..."

Reference (b), Article 1151.1, further provides:

"The right of any person in the naval service to communicate with the commanding officer in a proper manner, and at a proper time and place, shall not be denied or restricted."

b. Reference (c), paragraph 2805, implements and expands these rights and constitutes the basic authority for Request Mast in the Marine Corps.

c. For the purpose of Request Mast:

(1) "Marine" includes all uniformed members of the Armed Forces who are assigned to Marine Corps Base, Camp Lejeune, either permanently or serving on temporary additional duty. Where specific service policy regarding Request Mast is different at the level above the Commanding General, those service policies will be followed, when practicable.

(2) "Commander" includes the Marine's immediate commanding officer (officer with NJP authority) and every commanding officer in the chain of command through the Commanding General. It also includes inspector-instructors and officers-in-charge (provided the OIC is vested with NJP authority).

(3) "Communicate" includes either the opportunity to appear personally before a commanding officer or officer in charge, or the right to correspond with that officer in writing, as provided for in this Order.

(4) "Commanding General" includes an officer who becomes the "Commander" of Marine Corps Base, Camp Lejeune.

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d. Marines of Tenant Commands. Marines of tenant commands may properly seek Request Mast with the Commanding General, Marine Corps Base, via their parent chain of command when the subject matter involves areas under cognizance of this Command; for example: housing, commissary, Morale, Welfare and Recreation, or other Base activities or facilities.

5. Policy

a. Request Mast is the principal means for a Marine to formally communicate a grievance to, or seek assistance from, his or her commander. Request Mast is a formal rather than an informal process. Marines do not have to disclose the subject of their Request Mast to anyone in the chain of command except to the commander with whom the Marine is Requesting Mast. Marines not desiring to disclose the subject of their request mast may seal their application in an envelope and mark it for "Commanding Officer or Commanding General EYES ONLY" as appropriate.

b. Marines with grievances or who require assistance should be encouraged to allow leadership at the appropriate level, to attempt resolution of the problem/issue. This includes referring Marines to an appropriate agency/office for assistance (e.g., legal assistance, family services, etc.). When such attempts fail to produce results or the Marine is not satisfied, Request Mast must be considered as an option. **Nothing in this paragraph prevents or discourages Marines from their right to request mast in addition to or in lieu of attempting an informal resolution.**

c. Request Mast is not intended to be used for the purpose of harassment, avoiding duty, or intentionally interfering with the commander's ability to carry out the functions and mission of the command.

d. Request Mast is the primary means for Marines filing discrimination, sexual harassment or Equal Opportunity formal complaints, per reference (d).

e. Nothing in this Order is intended to expand or abridge the rights of Marines otherwise guaranteed by the First Amendment to the U.S. Constitution, Federal law, or Departmental or Marine Corps directives. The exercise of such rights is not governed by the procedures set forth in this Order.

f. A commander may deny a Request Mast application if there is another specific avenue of redress available to the Marine. The commanding officer shall explain to the Marine why the

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Request Mast application was denied and, if appropriate, what procedures must be followed to resolve the issue. The authority to deny a Request Mast includes authority to refuse to further process the Request Mast. Whenever a commander denies a Request Mast under this authority, he or she shall, within a reasonable time, forward a report of such action and the basis therefore to the Commanding General via the chain of command. Examples when denial of request mast may be appropriate:

(1) Disciplinary Proceedings. The Uniform Code of Military Justice (UCMJ), provides for protection of the rights of a Marine from investigation through final review or appeal. Request Mast is not intended to be used as a means to collaterally attack the proceedings, punishment, or findings and sentence or punishment imposed resulting from disciplinary action under the UCMJ. Therefore, a commander may deny a Request Mast that has as its subject such disciplinary action, whether contemplated, pending, in progress, or final.

(2) Administrative Discharge Proceedings. Chapters 4 and 6 of reference (e) provide for the protection of the rights of Marines being processed for involuntary administrative separation. Commanders may deny a Request Mast that has as its subject such involuntary administrative discharge proceedings, whether contemplated, pending, in progress, or final.

(3) Article 138, UCMJ, Complaint of Wrongs. Chapter III of reference (f) contains guidance for preparation, submission, and processing of complaints under Article 138, UCMJ, and Article 1150 of reference (b). Commanders may hold a Request Mast to determine if the issue is cognizant under either article. Commanders may consult the Staff Judge Advocate prior to conducting such Mast. For information:

(a) Article 138, UCMJ, in part, provides:

"Any member of the armed forces who believes himself wronged by his commanding officer, and who, upon due application to that commanding officer, is refused redress, may complain to any superior commissioned officer, who shall forward the complaint to the officer exercising general court-martial jurisdiction over the officer against whom it was made."

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(b) Article 1150, reference (b), in part, provides:

"If any person in the naval service considers him or herself wronged by an act, omission, decision, or order of a person who is superior in rank or command, that person shall not fail in maintaining a respectful bearing toward such superior, but may report the wrong to the proper authority for redress in the manner provided in this article."

(4) Commanders must carefully evaluate situations cited above prior to denying a request mast to determine whether or not peripheral issues should be addressed.

g. Request Mast with authority higher than the Commanding General is authorized by paragraph 2805.3 of reference (c), which states:

"Although an individual may be granted the privilege of forwarding an application for Request Mast with higher commanders such as the Commandant of the Marine Corps or the Secretary of the Navy, the individual has no vested right to Request Mast with such higher commander."

Applications for Request Mast with the Commandant of the Marine Corps or with the Secretary of the Navy via the Commandant of the Marine Corps will only be considered if specifically recommended by the Commanding General in his endorsement. Absent such specific recommendation, the Commanding General will not forward the application. Paragraph 6h(2) of reference (a) states that any application received by the Commandant of the Marine Corps that does not contain the Commanding General's recommendation for consideration, will be returned without action. Request Mast applications acted on by the Commandant of the Marine Corps will be answered in writing. Those addressed to the Secretary of the Navy via the Commandant of the Marine Corps will be forwarded with a recommended response. The Inspector General of the Marine Corps (IGMC) processes Request Mast applications for the Commandant of the Marine Corps.

h. The formal procedures contained in this Order are designed to guarantee access by Marines to their superiors in the chain of command. Recognizing that Marines who believe themselves to be the victims of indifference or injustice on the part of their leaders will not uphold the traditional standards of the Marine Corps, paragraph 1100.3 of reference (c) directs that commanding officers must:

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(1) Strive for forceful and competent leadership throughout the entire organization.

(2) Inform the troops of plans of action and reasons therefore, whenever it is possible and practicable to do so.

(3) Endeavor to remove on all occasions those causes which make for misunderstanding or dissatisfaction.

(4) Assure that all members of the command are acquainted with procedures for registering complaints, together with the action taken thereon.

(5) Build a feeling of confidence which will ensure the free approach by subordinates for advice and assistance, not only in military matters, but for personal problems as well.

i. Regarding Request Mast applications with the Commanding General, the Command Inspector shall ensure that the Commanding General's action(s) is (are) implemented in a timely manner.

6. Action

a. Commanding Officers of all units subordinate to this Command will:

(1) Ensure a command Request Mast program/procedures is established in compliance with reference (a) and this Order.

(2) Ensure statistical information concerning Request Mast by Marines under their command is maintained for two years per paragraph 3004 and appendix C of reference (g).

(3) Ensure no action, adverse or prejudicial to the interests of any Marine, results from the Marine's exercise of the right to Request Mast.

(4) Utilize the Request Mast Application shown in enclosure (2). This form is presently in the Electronic Forms system.

(5) Ensure all Request Masts are prepared, heard and processed expeditiously as provided for in reference (a) and this Order.

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(6) Establish and monitor follow-up procedures to ensure that each Request Mast issue is resolved in a timely manner and no action, adverse or prejudicial, to the interests of any Marine, results from the Marine's exercise of the right to Request Mast.

b. The Command Inspector shall:

(1) Initially hear all Request Mast cases referred to the Commanding General. Those cases which cannot be satisfied at this hearing shall be scheduled for hearing by the Commanding General. The Command Inspector is authorized to act on applications marked "For Commanding General EYES ONLY," including, when authorized by the requester, opening and acting upon any correspondence marked for the Commanding General.

(2) Serve as the staff cognizant officer for all matters relating to the Request Mast Program.

(3) Initiate the required action to ensure that the decision of the Commanding General on Request Mast applications is accomplished.

7. Punitive Effectiveness of this Order. Violations of certain provisions of this Order may subject individuals to disciplinary and/or administrative action. Violations of the following shall be considered punitive violations of this Order and the UCMJ:

a. Attempting reprisal against any Marine for exercising his/her right to Request Mast.

b. Unlawfully influencing, impeding or suppressing the actions of a Marine from initiating, writing, or forwarding a Request Mast up the chain of command or without justification, failing to expeditiously act upon Request Mast or forward requests to the next level in the chain of command.

c. Using Request Mast to harass, avoid duty, or intentionally interfering with the commander's ability to carry out the functions and mission of the command.

d. Signing block 9a (Affidavit) of the Request Mast Application, knowing that the information contained in the application is false.

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8. Records Disposition. Pursuant to SECNAVINST 5212.5C, Request Mast records are to be retained for two years from the date final action is taken.

9. Reserve Applicability. This Order is applicable to the Marine Corps Reserve.


B. A. GOMBAR
Chief of Staff

DISTRIBUTION: A

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PROCEDURES FOR REQUEST MAST WITH THE
COMMANDING GENERAL, MARINE CORPS BASE

1. General Information. The Commanding General, Marine Corps Base will receive petitions for Request Mast on an individual basis at the earliest practicable time for members of Marine Corps Base who desire to exercise their right in accordance with Article 1151.1, U.S. Navy Regulations. Prior to the Commanding General receiving the petition, the petitioner must present it through the chain of command, complying with the published directives of those commanders constituting the chain of command to the Commanding General. The individual submitting the petition may disclose the purpose of the Request Mast to the immediate or intermediate commander(s) within the chain of command, or may elect to disclose the reason for the petition only to the Commanding General.

2. Procedures. The following procedures apply in submitting a petition for Request Mast with the Commanding General, Marine Corps Base:

a. The individual desiring to submit a petition for Request Mast will prepare the Request Mast Application, enclosure (2) to this Order, setting forth the reason(s) for the Request Mast and what he expects the Commanding General to do and include the following:

(1) Any supporting documentation.

(2) List of witnesses with a summary of the expected testimony of each witness.

(3) An accounting of those persons within the chain of command to whom the individual addressed the subject of the petition and the action taken.

b. If the individual submitting the Request Mast application elects not to reveal the subject of the request mast to proper authorities within the chain of command subordinate to the Commanding General, he/she is to seal the Request Mast application in an envelope and mark it "Request Mast, for Commanding General's EYES ONLY" or "To be opened by Commanding General Only."

c. Once the application to the appropriate commander is completed and signed, the Marine is to present the application to the commander at the lowest command (company) level.

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d. Prisoners confined in the Base Brig may Request Mast. Applications marked "To be opened by the Commanding Officer/General only," will not be opened by Brig personnel.

3. Command Action on Request Mast Applications to the Commanding General

a. Upon receipt of the application, the command is to expeditiously endorse and forward it to the next command level. The commander is welcome to provide amplifying comments concerning the request in the endorsement. The term "For Official Use Only" shall be indicated in the forwarding endorsement and all subsequent endorsements. The application must be forwarded to the next higher level within the chain of command within 24 hours of receipt. Commanders not meeting this requirement must justify the delay in their endorsement.

b. At the consolidated administration level of command, the commander is to endorse the application per paragraph 3a above, attach the Marine's OQR/SRB to the application, and forward it to the next higher level of command. Upon forwarding through all levels of command subordinate to the Commanding General, the application shall be forwarded to:

Commanding General, Marine Corps Base
(Attn: Command Inspector)

4. Action at the Commanding General's Level

a. All applications for Requests Mast with the Commanding General will be processed by the Command Inspector. Upon receipt of an application for Request Mast with the Commanding General, the Command Inspector will interview the individual and forward the request, as appropriate. The Command Inspector will arrange for an appointment between the individual and the Commanding General.

b. At the completion of the Request Mast hearing, the Command Inspector shall indicate the Commanding General's decision in regard to the application in part II of the application and initiate appropriate action to implement the decision.

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c. The individual will indicate in part III of the application whether or not he/she is satisfied with the decision and, if not, the reason(s) why. Part III will be witnessed by the Command Inspector or a member of his/her staff.

5. Promulgation of Results of the Request Mast Application. The results of the Request Mast, along with action required by subordinate commands, if required, will be published by separate correspondence. The Request Mast shall be treated as "For Official Use Only" material and retained in the official files of the Commanding General (Command Inspector) for two years.

ENCLOSURE (1)

26 SEP 1997**MARINE CORPS REQUEST MAST APPLICATION**

NAVMC 11296 (Rev. 6-97)

SN: 0000-00-888-0350 U/I: EA

PRIVACY ACT STATEMENT

Authority: Title 5, U. S. Code 301; Title 10, USC Section 5013

Principal Purpose: Formal filing of complaints/problems to command personnel.

Routine Uses: To provide a record to facilitate personnel management actions and decisions; to serve as a data source for complaint/problem information and resolution efforts.

Disclosure: Disclosure is voluntary. Failure to complete the requested items could result in delayed command action and/or an inaccurate/incomplete analysis of the complaint/problem.

PART I: TO BE COMPLETED BY THE APPLICANT

1. NAME:	2. RANK:	3. SSN:
4. UNIT:	5. RACE/ETHNIC GROUP:	
6. GENDER:	7. DATE: 11 Sep 97	

8a. I desire to Request Mast with: (Provide the name and billet of the Commanding Officer with whom you desire to communicate.):

8b. NATURE OF COMPLAINT/PROBLEM: (Give in as much detail as possible the basis of your complaint; describe the incident(s)/behavior(s) and date(s) of the occurrence(s); the names of the individuals involved, witnesses and to whom it may have been previously reported. Include any other information relevant to your complaint/problem. Attach additional sheets, as needed).

8c. REQUESTED REMEDY/OUTCOME: (Clearly state what assistance or complaint resolution you are seeking from the commanding officer named in 8a above.)

9. AFFIDAVIT

I, _____, have read this statement which begins in Block 8b on this page (page 1) and ends on page _____. I fully understand the statement made by me and certify the statement is true. I have initialed all corrections. I make this formal statement without threat of punishment and without coercion, unlawful influence, or unlawful inducement.

(SIGNATURE OF APPLICANT/DATE)

ENCLOSURE (2)

PART II: TO BE COMPLETED BY THE OFFICER CONDUCTING REQUEST MAST

10. DISPOSITION: (Provide a detailed explanation of actions taken or attempted to resolve the complaint/problem, to include any other referrals. If an inquiry/investigation was initiated as a result of this complaint, provide the type conducted and the results. Attach additional sheets as necessary.)

COMMANDING OFFICER SIGNATURE/DATE

PART III: APPLICANT'S ACKNOWLEDGMENT OF REQUEST MAST

(Applicant should initial/complete the appropriate statement(s))

_____ I have had the opportunity to communicate directly with my Commanding Officer named in Block 8a and understand the disposition or probable disposition of my problem/complaint.

_____ I have had the opportunity to communicate directly with _____
(name and billet of commanding officer subordinate to officer named in Block 8a), understand the disposition or probable disposition of my problem/complaint, and voluntarily withdraw this Request Mast.

_____ I have not had the opportunity to communicate directly with my Commanding Officer named in Block 8a.

_____ I have had the opportunity to communicate directly with my Commanding Officer named in Block 8a but have not been informed of the disposition or probable disposition of my problem/complaint.

WITNESS' SIGNATURE/DATE

APPLICANT'S SIGNATURE/DATE